IN THE HIGH COURT OF JUDICATURE OF ANDHRA PRADESH AT HYDERABAD

THE HON'BLE SRI JUSTICE C.V.RAMULU

W.P.No.15806 of 2006

Dated: 28th July, 2006

Between:

Konduri Manemma

.. Petitioner

and

The Deputy Registrar of Cooperative Societies/ OSD/Arbitrator, Charminar Cooperative Urban Bank Ltd., Hyderabad & others.

.. Respondents

THE HON'BLE SRI JUSTICE C.V.RAMULU

W.P.No.15806 of 2006

ORDER:

With the consent of both the counsel, the writ petition is taken up for disposal at the stage of admission.

It is the case of the petitioner that her property bearing Plot No.28 in Phase IV of HIG admeasuring 395 sq.yards situated at Vanasthalipuram, Hyderabad is sought to be auctioned on 31.7.2006 by way of notice dated 28.7.2006. According to the petitioner, neither she obtained any loan nor stood as guarantor to any person. Therefore, she is not liable to pay any amounts.

Whereas, the learned counsel for respondents states that the petitioner has got an effective alternative remedy by way of filing a

claim petition under Rule 52(21)(a) of A.P. Cooperative Societies Rules, 1964 (for short 'the Rules').

In view of the above, without expressing any opinion on merits, the petitioner is directed to file an application under Rule 52(21)(a) of the Rules within one week from today. On such application being made, the respondents shall take up the same and conduct a detailed enquiry as required under law and dispose of the same within a period of two weeks thereafter. Till the disposal of the claim petition filed under Rule 52(21)(a) of the Rules, the auction sought to be conducted shall not be proceeded with.

With the above direction, the writ petition is accordingly disposed of. No order as to costs.

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C.V.RAMULU,
J

Date: 28.7.2006
DA

Note:
The learned Standing Counsel
undertakes to communicate the order
to the respondents.
B/o
DA

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28.7.2006